

# Tips on Selecting an Alternative Dispute Resolution Provider

A number of questions and factors should be considered when selecting an individual from the *DOA Roster of Dispute Resolution Providers*. The following are types of questions that may assist you in your selection.



## Decide what you want

- ▶ What are your goals for either resolving or managing the dispute?
- ▶ Is the dispute over facts, or is it about personalities or long-standing physical problems affecting community relationships?
- ▶ Are the issues behind the dispute commonly understood?
- ▶ Is building a long-term relationship with the other party an important consideration?
- ▶ Is there a power imbalance that has complicated previous discussions?
- ▶ Is now the time to try to resolve the issue(s)?

## Reviewing the roster

- ▶ Consider the types of dispute resolution experience, subject matter expertise, geographic location, and other factors that are important to you. Dispute resolution associations often maintain training, certification and other accreditation programs, so membership and participation in these associations may be a factor to consider.

### **TIPK Roster of ADR Professionals**

The Department of Administration's *Roster of Dispute Resolution Professionals* is maintained pursuant to s. 66.0217(6)(b), Wis. Stats., and can be found at:

[doa.wi.gov/municipalboundaryreview/](http://doa.wi.gov/municipalboundaryreview/)

The roster may be used by local communities, citizens, and others to locate and select trained and experienced individuals to assist them in resolving municipal boundary, land use, environmental, and other intergovernmental conflicts.

Individuals included on the roster are not endorsed by the Department, nor is the Department responsible for the accuracy of the information provided. Therefore, it is important that you exercise care in selecting an ADR provider. This document was created to help you with this selection process. Various ADR associations may also provide information to assist with selection. See the website above for contact information for these associations.

- ▶ Compile a short list of names of the ADR providers you would consider interviewing.
- ▶ Ask for any promotional materials, and whether initial consultation or orientation sessions are provided.
- ▶ Ask whether the person has handled similar disputes (rules of confidentiality may prevent them from discussing specific cases)

### **Interview the ADR provider**

- ▶ Ask whether they have had a prior relationship with any of the parties or their legal counsel.
- ▶ Ask them to describe their preferred dispute resolution style.
- ▶ Once you've communicated what you think are your needs, ask how they would likely handle the process, such as whether they would want to emphasize joint or separate sessions involving each party, bring in outside experts, etc.
- ▶ Ask how they might prepare for negotiating sessions.
- ▶ Ask if there will be a confidentiality agreement.
- ▶ Inquire about what roles participants will play, including the ADR Provider.
- ▶ Determine how costs will be handled and identify if there is a cancellation fee.

### **Evaluate information and make a decision**

- ▶ Were your questions answered?
- ▶ Were you able to establish a rapport with the ADR Provider?
- ▶ Did the answers about process and cost fit your resources and time frame?
- ▶ Is one of the ADR Providers from the list acceptable to all parties?

